

**REMARKS/ARGUMENTS**

Claims 10-18 are pending in the present application. Claims 10 and 18 have been amended to clarify the subject matter recited therein. Figures 1, 2, and 6-8 have been amended to add labels to elements. The Specification has been amended to respond to the objection and to correct typographic errors. The title has been amended similar to that suggested by the Examiner. The amendments do not add new matter and find support throughout the Specification and Figures. It is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application is requested.

**Information Disclosure Statement**

The Office Action indicates that German Patent Document No. 195 39 259 has not been considered since no English translation has been provided. Respectfully, on April 27, 2000, Applicants provided a copy of an International Search Report (of the International Application) identifying the degree of relevance found by the International Searching Authority. Accordingly, Applicants have already satisfied the rules. See, e.g., MPEP 609 (III)(A)(3). Notwithstanding the foregoing, an English language abstract is provided in the appendix herein as a further concise explanation of the relevance of the publication in accordance with 37 C.F.R. § 1.98 (3)(i). It is therefore respectfully requested that the Examiner consider German Patent Document No. 195 39 259 and return with the next communication to the Applicants an initialed copy of PTO form 1449.

**Objections to the Specification**

The Specification has been objected to as failing to provide proper antecedent bases for claims 16-18. Applicants respectfully traverse.

Support for claims 16 and 17 may be found throughout the Specification. However, in the interest of expediting prosecution, the paragraph beginning on page 9, line 9 of the Specification has been amended to provide additional antecedent bases for these claims.

As regards to claim 18, claim 18 has been amended to clarify the subject matter recited therein. Support for claim 18 may be found in the Specification on page 8, lines 23-32, which specifically states that "measures are provided to permit a resolution when two

communications are fed into the communications system more or less simultaneously.” (Specification; page 8, ll. 23-24). The following discussion, along with the remainder of the Specification, provides support for claim 18. For example, at page 8, ll. 26-28, the Specification describes that the bus station calculates the remaining transit time of the connection for each communication received; this corresponds to the sequence of the time grid spanned by the communication. The Specification also describes that the time grid is determined based on, e.g., transmission information (e.g., position), direction vector and length of the communication or data packet. See, e.g., page 3, ll. 14-29.

Therefore, it is respectfully submitted that the Specification provides adequate antecedent bases for claims 16-18 and it is therefore respectfully requested that the objection to the specification be withdrawn.

**35 U.S.C. § 102(e)**

Claims 10-12, 15, and 16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,201,794 to Stewart et al. (the Stewart reference). Applicants respectfully submit that claims 10-12, 15, and 16 are not anticipated by the Stewart reference, for at least the following reasons.

To reject a claim under 35 U.S.C. § 102, the Office must demonstrate that **each and every claim limitation is identically disclosed** in a single prior art reference. (See Scripps Clinic & Research Foundation v. Genentech, Inc., 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131. Applicants respectfully submit that the Stewart reference does not disclose each and every element of the claimed invention.

Independent claim 10 relates to a bus station for exchanging with other bus stations a communication including a data packet and transmission information. The bus station includes, among other things, an arrangement for storing position information of the bus station in relation to a sequence of bus stations; and an arrangement for determining from the transmission information a position information of the one of the bus stations that is transmitting. The bus station according to claim 10 also includes an arrangement for, on receiving the communication, determining a time slot belonging to the bus station on the basis of the position information of the one of the bus stations that is transmitting and the

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position information of the bus station. The bus station according to claim 10 also includes an arrangement for sending the communication including the data packet after the data packet is received, the communication being sent in a next time slot belonging to the bus station.

Applicants respectfully submit that the Stewart reference does not discuss, or even suggest, an arrangement for, on receiving the communication, determining a time slot belonging to the bus station on the basis of position information of the transmitting bus station and position information of the bus station. The Examiner apparently relies on the master routing node of the Stewart reference as disclosing Applicants' recited bus station. Respectfully, in the Stewart reference, a message is routed by periodic or continuous transmissions of pilot messages by a master routing node. The Stewart reference does not describe or even suggest determining a time slot for sending a communication on the basis of the position information of the transmitting bus station and the position information of the bus station. Therefore, the Stewart reference does not anticipate the subject matter of amended claim 10.

Claim 11 depends from claim 10 and is therefore allowable for at least the same reasons as claim 10 is allowable. Additionally, claim 11 recites that the communication includes a direction vector indicating that a sequence will be run through in one of a first direction and a second direction that is opposite the first direction. The Office Action cites a section of the Stewart reference stating "[b]ased on the message traffic conditions and other priorities, as may be programmed by the user, a decision is made at information transfer point 109 on how best to route the message to its destination at that point." (Stewart; col. 3, ll. 10-13). According to the Examiner, this "implies that a user can define a routing table such that full duplex traffic between a pair of origination and destination nodes to traverse the same path and in opposite directions." (Office Action; page 4, ll. 20-23). Applicants respectfully disagree that the cited section of the Stewart reference implies the Examiner's statement, and further, Applicants submit that statement of the Office Action fails to even assert that the communication includes a direction vector. Therefore, it is respectfully submitted that for at least this additional reason claim 11 is allowable over the Stewart reference.

Claims 12 and 15-16 depend from claim 10 and are therefore allowable for at least the same reasons as claim 10 is allowable. Additionally, claim 15 depends from claim 14, which is rejected on a combination of references under 35 U.S.C. § 103(a). It is therefore

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respectfully submitted that dependent claim 15 is allowable over the Stewart reference considered alone.

For at least the reasons discussed above, withdrawal of the rejection under 35 U.S.C. §102(b) with respect to claim 10-12, 15, and 16 is hereby respectfully requested.

**35 U.S.C. § 103(a)**

Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Stewart reference in view of United States Patent No. 5,987,011 to Toh (the Toh reference). Applicants respectfully submit that claims 13 and 14 are in condition for allowance for at least the following reasons.

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103(a), not only must the prior art **teach or suggest each element of the claim**, but the prior art must also **suggest combining the elements in the manner contemplated by the claim**. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990). The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. M.P.E.P. §2142. To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some **suggestion or motivation**, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, **to modify or combine the references** and that, when so modified or combined, the prior art **teaches or suggests all of the claim limitations**. M.P.E.P. §2143. Applicants respectfully submit that these criteria for obviousness are not met here.

Claims 13 and 14 ultimately depend from claim 10. Accordingly, the arguments presented above in connection with the Stewart reference and claim 10 apply equally to claims 13 and 14. The Toh reference does not cure the deficiencies of Stewart. Accordingly, for at least this reason, the Stewart reference in view of the Toh reference does not render claims 13 and 14 obvious.

Moreover, claim 13 recites, among other things, an arrangement for sending the communication again if no other bus station has repeated the sent data packet. It is respectfully submitted that the cited section of the Toh reference gives no suggestion of resending a data packet if no other bus station repeats the data packet. Since the references

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cited do not disclose or suggest combining the features of claim 13 in the manner claimed, the combination of the references cannot render obvious the subject matter of claim 13.

Claim 14 depends from claim 13 and is therefore allowable for at least the same reasons as claim 13 is allowable.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Stewart reference in view of United States Patent No. 5,297,137 to Ofek et al. (the Ofek reference). Applicants respectfully submit that claim 17 is in condition for allowance for at least the following reasons.

Claim 17 depends from claim 10. Thus, the arguments presented above in connection with the Stewart reference and claim 10 apply equally to claim 17. The Ofek reference does not cure the deficiencies of the Stewart reference. Accordingly, the Stewart reference in view of the Ofek reference does not render claim 17 obvious.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Stewart reference in view of United States Patent No. 6,047,000 to Tsang et al. (the Tsang reference). Applicants respectfully submit that claim 18 is in condition for allowance for at least the following reasons.

Claim 18 depends from claim 10; thus, the arguments presented above in connection with the Stewart reference and claim 10 apply equally to claim 18. The Tsang reference does not cure the deficiencies of the Stewart reference. For at least this reason, the Stewart reference in view of the Tsang reference does not render claim 18 obvious.

For at least the reasons discussed above, withdrawal of the rejections under 35 U.S.C. §103(a) with respect to claims 13, 14, 17, and 18 is hereby respectfully requested.

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**CONCLUSION**

Applicants respectfully submit that all of the pending claims of the present application are now in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

*[Handwritten signature]* (a n 36054)

Dated: 3 February

By: *[Handwritten signature]*

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## **APPENDIX**

### **Abstract of DE19539259**

The system includes several radio devices (A, B, C, D, E) which are connected with each other over a radio bus (RB), for the reciprocal transmission of radio signals. Each of the radio devices contains a memory, in which a list is stored, which indicates only those radio devices to which the radio signals are transferable. At least one of the radio devices in each list is marked, whereby a sequence is determined, corresponding to the order in which the devices access the radio bus. Each of the radio devices awaits the reception of an access right for the access on the radio bus, and sends an access right to the radio device marked in the list, after its access is completed. Each radio device is marked at least once in one of the lists. The order is preferably predetermined by a hierarchical priority.